Labour Relations Agency

Annual Report
2007-08

Newfoundland
Labrador

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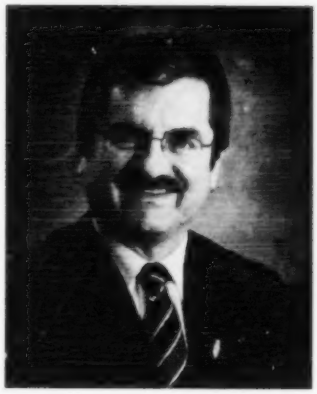
MESSAGE FROM THE MINISTER



In accordance with Government's commitment to transparency and accountability and as Minister responsible for the Labour Relations Agency, I hereby submit the Annual Performance Report for 2007-08. The report was prepared under my direction and I am accountable for the results contained within it.

This document presents outcomes of the Agency's objectives, highlights achievements and focuses on future opportunities that will further support its commitment to promote positive employment relations in the Province.

In 2007-08, the Agency assisted in bringing forward proposals to amend the *Labour Relations Act* and the *Labour Standards Act*. Respectively, these proposals related to the establishment of a Labour Management Arbitration Committee and the provision of job protection for military reservists who are deployed or training for deployment. Both of these legislative enhancements are key improvements to the employment relations framework in Newfoundland and Labrador and have been brought forward in cooperation with stakeholders. Similarly, in 2007-08, the Labour Relations Agency also coordinated significant public and stakeholder consultation in relation to Government's Blueprint proposal to increase the minimum wage to $10.00 per hour by 2010. The Agency also made significant progress to provide quality employment relations data to the public and increased its education and outreach activity substantially throughout the course of the year.

The Labour Relations Agency continues to work with employers and employees to prevent and resolve workplace disputes, and assist parties on matters that impact employment relations. During this fiscal year, the Agency was involved in 81 conciliation settlements and had an increase in the settlement rate, up to 93%, in helping parties reach or renew collective agreements. Furthermore, from a labour standards perspective, the Agency increased its public presentations by 42% over last year and was also instrumental in helping resolve more than 400 disputes in non-unionized workplaces, thus ensuring that the rights and responsibilities of all workplace parties were respected.

Shawn Skinner, M.H.A.
Minister

MANDATE

The Labour Relations Agency supports and promotes positive employment relations in the Province, administers minimum terms and conditions of employment through provincial Labour Standards legislation, and provides workplace dispute resolution services.

These goals are pursued through the effective administration and enforcement of applicable legislation administered under the powers and duties of the Minister.

VISION

The Labour Relations Agency's vision is of an optimal employment relations climate contributing to economic growth, competitiveness and prosperity.

MISSION

In the Labour Relations Agency's 2006-2008 Strategic Plan, our mission was identified as follows: *By 2011, the Labour Relations Agency will have enhanced the employment relations framework in the areas of collective bargaining, employment relations data, and education.* With the release of the Agency's 2008-2011 Strategic Plan, this mission statement was adjusted to clarify that enhancements to the employment relations framework in the area of collective bargaining would be achieved through improved legislation. This adjustment has helped the Agency to more precisely identify that enhancements to the collective bargaining and employment relations framework in Newfoundland and Labrador will be achieved through improvements to our labour statutes and regulations, employment relations data and through education. (See Labour Relations Agency's 2008-2011 Strategic Plan).

In addition to adjusting the original mission statement, the Agency has amended a number of its mission indicators to ensure that our success in achieving our mission can be measured at the outcome level, rather than simply reflecting individual activities or outputs. The amended list of mission indicators contained in the Agency's 2008-2011 Strategic Plan more succinctly represent the outcomes the Agency is seeking to achieve in response to its mission. As is noted in this Report's Highlights and Accomplishments and Report on Performance sections, the Labour Relations Agency has, in collaboration with stakeholders, made significant strides to bring forward legislative reforms to the province's labour management arbitration process and elsewhere. Likewise, the Agency's efforts to increase access to employment relations data has already improved the quality and accessibility of this information and plans to determine stakeholder awareness of this information will be implemented during the next planning cycle. Furthermore, the Agency has already increased its emphasis on public education and outreach activities to ensure that new and prospective workers and employers, including young people, have access to information regarding their

respective workplace rights and responsibilities, as well as the services of the Labour Relations Agency that may be of assistance to them.

VALUES

The Labour Relations Agency's ability to promote effective employment relations requires that stakeholders have a high level of trust and confidence in the independence of the Agency's staff, and in the quality of the services they deliver.

To this end, the Agency's organizational culture promotes three key values: professionalism, respect and partnership.

LEGISLATION

The legislation administered by the Agency establishes the rights and responsibilities of employers and employees in Newfoundland and Labrador. In addition, it provides context for the Agency's policy and planning activities. This legislation includes the following:

1. *Labour Relations Act* and *Regulations*
2. *Labour Standards Act* and *Regulations*
3. *Shops Closing Act* and *Regulations*
4. *Public Service Collective Bargaining Act and Regulations (Consolidated Orders)*
5. *Fishing Industry Collective Bargaining Act* and *Regulations*
6. *Interns and Residents Collective Bargaining Act*
7. *Teachers' Collective Bargaining Act*

LINES OF BUSINESS

In delivering its mandate, the Labour Relations Agency provides services to its clients in the areas of labour standards, labour relations, and policy and planning.

Labour Standards

The Agency, through its Labour Standards Division, is responsible for the administration of the Province's *Labour Standards Act*, which mandates minimum terms and conditions of employment in the province. Services to the public include:

- Ensuring compliance with Labour Standards and Shops Closing legislation through investigation and enforcement;
- Investigating and mediating disputes between employees and employers;
- Offering public education and awareness seminars and consultative programs to communities and organizations, educational institutions, and various business sectors; and,

- Consulting with employees and employers on workplace matters.

Labour Relations

The Agency, through its Labour Relations Division, is responsible for serving employees and employers who operate within the framework of the collective bargaining system. Services include:

- Providing conciliation, preventive mediation and interest-based negotiation services to employees and employers;
- Assisting both labour and employer groups with an emphasis on building constructive relationships; and,
- Facilitating the appointment of arbitrators or nominees to arbitration boards, when requested.

Policy and Planning

The Agency's Policy and Planning Division is responsible for the provision of information and research services related to the employment relations climate of the Province, and for the review and enhancement of the Agency's policies, programs and services. This role is also pursued indirectly through the effective administration of provincial labour legislation. Services of the Division include:

- Analyzing, maintaining and providing statistical information relating to the Agency's core lines of business, objectives, programs and activities;
- Researching labour relations and labour standards issues;
- Providing information and research services with respect to the province's employment relations environment;

- Facilitating the evaluation and continuous improvement of policies, programs and services;
- Providing support and advice to the Agency Executive and to the Minister of Human Resources, Labour and Employment;
- Updating and monitoring the Agency's Strategic Plan and Annual Reports;
- Ensuring the Agency's participation in initiatives both Government-wide and with other federal/provincial/territorial governments; and,
- Developing and maintaining partnerships with relevant provincial and national organizations and Ministries of Labour.

STAFF

The Labour Relations Agency employs 26 employees in its various divisions and locations (14 female, 12 male). (See the Agency's organizational structure, page 7)

OFFICES

The Labour Relations Agency has offices located in St. John's and in Corner Brook.

CONTACT THE AGENCY

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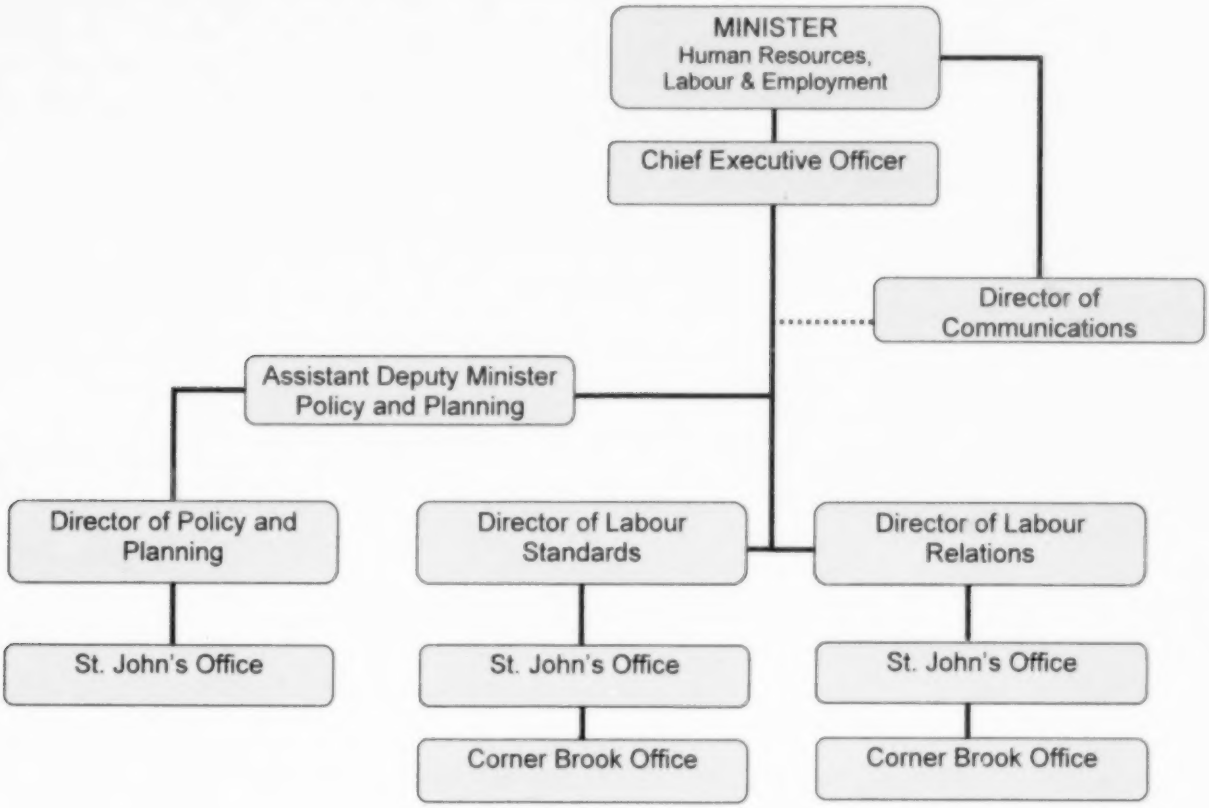
LABOUR RELATIONS AGENCY - ORGANIZATIONAL STRUCTURE



SHARED COMMITMENTS

The Labour Relations Agency supports Government in reaching its overall strategic goals and objectives. In particular, the Agency's work in facilitating positive employment relations in Newfoundland and Labrador helps to contribute to the growth of our economy and increased job creation. In 2007-08, the Agency continued this work, both as an active partner in the labour-business-government Strategic Partnership Initiative, and secondly, in partnership with several government departments and agencies in relation to a variety of Government-wide initiatives.

Strategic Partnership Initiative

The Labour Relations Agency chairs the tri-partite Employment Relations Sub-Committee of the Strategic Partnership Initiative (SPI). The Sub-Committee serves as a forum for employers, labour and Government to discuss matters impacting the employment relations climate of the province, and has become an important vehicle for parties to discuss employment relations issues and amendments to provincial labour legislation.

Indeed, in 2007-08, the Labour Relations Agency worked closely with SPI partners to advance a stakeholder-led proposal to establish a Labour Management Arbitration Committee. While this matter is described in greater detail in this report's Highlights and Accomplishments section, the establishment of the Committee has demonstrated that the collaborative partnership model provided by SPI can produce positive results for all stakeholders. It also demonstrates that potential exists for all partners to engage in a collaborative, fair and balanced approach for future legislative change.

In keeping with this initial success, the Labour Relations Agency has also been actively involved in discussions with SPI's labour and employer representatives with respect to a more comprehensive review of the *Labour Relations Act* and other statutes. While the review of proposed changes is not anticipated to occur until 2008-09, the process of discussion and collaboration leading up to this review has laid the foundation for a strong and collaborative legislative review process.

Poverty Reduction Strategy

Reducing poverty is essential to ensuring a healthy and prosperous future for our province. In June 2006, the Government of Newfoundland and Labrador released the Poverty Reduction Strategy: "Reducing Poverty: An Action Plan for Newfoundland and Labrador". This Strategy is a multi-million dollar plan to support a variety of initiatives to help prevent, reduce and alleviate poverty for individuals, families, women, seniors, youth, and persons with disabilities. It includes measures to address affordable housing, access to education and training, childcare, employment and income. The

strategy has been developed following an extensive research and consultation process that outlines a plan for a long-term, integrated approach based on the principles of social inclusion and collaboration. Numerous government departments and agencies work together to identify and develop policies and programs designed to help groups most vulnerable to long-term poverty.

The Labour Relations Agency has played an active role in supporting the overall work of the strategy and has assisted in the implementation of one of its key goals which involved Government's commitment to raising earned incomes in the province. Indeed, throughout 2007-08, the Labour Relations Agency facilitated changes to the provincial minimum wage which saw it increase from $7.00 per hour to $8.00 per hour in two $0.50 increments (October 1, 2007 - $7.50 per hour, April 1, 2008 to $8.00 per hour).

Furthermore, during the winter of 2008, the Labour Relations Agency conducted a province-wide consultation process to obtain stakeholder input and feedback on Government's Blueprint commitment to raise the minimum wage to $10.00 per hour by 2010. The results of this consultation and further analysis of the minimum wage will be brought forward to Government to consider in 2008-09.

Violence Prevention Initiative

The Violence Prevention Initiative (VPI) is a six year, multi-departmental, government - community partnership to find long term solutions to the problem of violence against those most at risk in our society - women, children, seniors, persons with disabilities and other vulnerable people who are victims of violence because of their race, ethnicity, sexual orientation or economic status. The Labour Relations Agency has been a member of the Provincial Coordinating Committee of the VPI since its launch in spring 2006.

Under the VPI, the Agency committed to supporting the increase in public awareness and attitudinal change about violence against vulnerable populations, and to improving legislation, policy, programs, services, information and facilities. One of the outcomes of these commitments includes a link to VPI information that has been integrated into the updated Agency website.

The Labour Relations Agency also represents Newfoundland and Labrador on an inter-provincial Committee tasked with reviewing the matter of workplace violence in Canada. Under the auspices of the Canadian Association of Administrators of Labour Legislation, the Violence in the Workplace Committee has facilitated the transfer of jurisdictional knowledge, expertise, and best practices aimed at promoting the prevention of workplace violence in Canada.

To support provincial participation in this initiative, the Agency liaises with the Department of Government Services, the Women's Policy Office, and the Workplace Health, Safety and Compensation Commission.

The work of this provincial committee culminated in January 2008 with the release of a joint statement endorsed by the federal-provincial-territorial Ministers responsible for Labour relating to the prevention of violence in the workplace. At this time, Ministers agreed on the importance of continuing to develop violence prevention measures appropriate for their jurisdictions in order to help build safe and healthy workplaces where both workers' and employers' rights are respected.

HIGHLIGHTS AND ACCOMPLISHMENTS

The Labour Relations Agency provides a range of programs and services that assist employers and employees in creating a positive employment relations climate in Newfoundland and Labrador. To support this, the Agency works collaboratively with employer and labour partners to promote and achieve positive labour relations and sound employment standards.

Some of the following activities include strategic issues identified in the Agency's Strategic Plan 2006-08 and are therefore described in greater detail in the **Outcomes of Objectives** section of this Report.

Highlights of the activities in 2007-08 include:

Compassionate Care Leave

In June 2006, the federal government announced amendments to the employment insurance compassionate care benefit, broadening its definition of family member, for which workers can access the benefit in order to provide critical care. The new definition enhanced the category of family member that workers were able to care for beyond what was announced in 2004, to include not just immediate family, but extended family and close relatives.

In May 2007, the Labour Relations Agency facilitated Government's efforts to amend the *Labour Standards Regulations* to enhance provincial job protection for workers who wish to access the federal compassionate care benefit. These changes mirrored amendments adopted by the federal government in 2006 and employees in the province are now eligible to receive job protection to care for terminally ill family members, extended family, and other relatives.

Employment Protection for Reservists

In the winter 2008, the Labour Relations Agency supported Government in responding to its 2007 Blueprint commitment to provide for unpaid leave for military reservists. As a part of this process, the Agency worked with the Canadian Forces Liaison Council and jurisdictions across the country to assess best practices in this area, to build upon the

existing levels of voluntary protection already afforded by many employers, and to develop mandatory provisions for job protection that balanced the rights and responsibilities of employees and employers.

The proposal included provision to ensure job protection for military reservists who volunteer and are deployed, or are training for deployment, for foreign or domestic operations. Provision for leave was also included in the event that reservists may require medical treatment or rehabilitation resulting from deployment. In recognition of the needs of employers, provision is made for a right to refuse the leave request in those circumstances where it can be demonstrated that the leave will result in undue hardship that jeopardizes the employer's ability to continue to function. When leave is disputed on this point, the matter can proceed to an adjudicative process.

The provision of job protection for reservists has become a nation-wide trend in Canada and Newfoundland and Labrador's legislation in this regard has ensured that day-to-day employment of reservists in this province is protected while they are deployed with Canada's military whether at home or abroad.

Bill 1 – An Act to Amend the Labour Standards Act to Provide for Leave for Reservists was introduced into the House of Assembly on March 10, 2008 and received Royal Assent on June 4, 2008.

Minimum Wage

The year 2007-08 was an active time in relation to the consideration of minimum wage policy in Newfoundland and Labrador. The Labour Relations Agency facilitated two direct changes to the provincial minimum wage which saw it increase from $7.00 per hour to $8.00 per hour in two $0.50 increments, the first occurring on October 1, 2007 ($7.50 per hour) and the second on April 1, 2008 ($8.00 per hour).

During the winter of 2008, the Labour Relations Agency organized and supported Government's province-wide consultation process on the minimum wage to obtain stakeholder input and feedback on its 2007 Blueprint commitment to consult and plan for future minimum wage increases in a predictable and incremental manner with a view to raising the minimum wage to $10.00 per hour by 2010. As a part of this process, face-to-face public meetings were held in ten locations across the province and numerous roundtable discussions were held with specific stakeholder groups. Members of the public were also encouraged to present their views through a website dedicated to the minimum wage issue, by email, by telephoning toll free, or by providing a written submission. In all, approximately 100 written and verbal submissions were received from the public.

The Labour Relations Agency's analysis of minimum wage policy will be brought forward to Government to consider in 2008-09.

Labour Management Arbitration Committee

In the fall of 2007, the Labour Relations Agency brought forward a proposal to Government to amend the *Labour Relations Act* to enhance the arbitration system in the province through the creation of a Labour Management Arbitration Committee (LMAC). Once created, the LMAC will be responsible for establishing educational and experience standards for arbitrators, providing oversight for their qualifications and duties and establishing a roster of arbitrators to be available to the employer and labour community.

This amendment was achieved by employer, labour, arbitrator and government representatives working in partnership through the Employment Relations Sub-Committee of the SPI to achieve consensus regarding necessary improvements to the province's arbitration process. Both the legislative amendments and the partnership model that proposed them have supported an improved employment relations framework.

Bill 23 – An Act to Amend the Labour Relations Act in relation to the LMAC was introduced into the House of Assembly on April 22, 2008 and received Royal Assent on June 4, 2008.

Report of the 2006 Statutory Review Committee on the *Workplace Health, Safety and Compensation Act (WHSCA)*

The Labour Relations Agency plays a key role in supporting Government's analysis of the recommendations of the Statutory Review Committee's 2006 Report on the *WHSCA*. The coordination and management of the Statutory Review file has been a significant component of the workload of the Agency's Policy and Planning Division since 2006.

On April 25, 2008, the Minister of Human Resources, Labour and Employment released Government's Action Plan in response to the Statutory Review Committee's Report. The Action Plan includes measures that will strengthen client services, reduce claim duration, support early and safe return to work, and strengthen the role of the Workplace Health, Safety and Compensation Commission (WHSCC) in injury prevention and occupational disease.

In support of Government's Action Plan, the Agency will continue to work with key partners to monitor, assist and evaluate the implementation of Government's decisions regarding the Report.

International Labour Issues

The Labour Relations Agency is also responsible for preparing the Province's position on international labour issues as requested by the International Labour Organization

(ILO). This is accomplished in collaboration with other provincial departments who work with the Agency to ensure the province's obligations are met.

In 2007-08, the Agency completed seven (7) significant requests from the ILO and participated in a number of intergovernmental consultations and meetings with the Government of Canada on various international labour matters, including: Conditions of Work in the Fishing Sector, Occupational Health and Safety, Protection of the Right to Organize, Discrimination in Employment Policy and Employment and Poverty Reduction.

The Agency also participated in a multi-jurisdictional committee through the Canadian Association of Administrators of Labour Legislation (CAALL) that developed a strategy to address Canada's relationship and activities with the ILO. In January 2008, the federal/provincial/territorial (F/P/T) Ministers Responsible for Labour endorsed an F/P/T Strategy on International Labour Affairs and over the next three years, the Agency will be working closely with other jurisdictions to assist Canada in implementing the priorities contained in the strategy.

Labour Relations Agency Education and Outreach Activity

In 2007-08, the Labour Relations Agency made a concerted effort to reach out to employers, employees, and future employees through its education and outreach programs. Education and promotion was identified as an operational priority within the Agency's 2006-08 Strategic Plan and is a critical area of focus for the Agency in addressing its strategic direction of recognized stable employment relations climate conducive to economic growth.

In 2007-08, the Agency's Labour Standards Division completed 51 employment standards presentations with 1,411 participants. Compared to 2006-07, the Division increased its public presentations by 42% and involved 28% more participants. These presentations formulate part of the Agency's key outreach activity and are aimed at informing youth about their workplace rights and responsibilities as they reach an age when they begin to enter the workforce. In addition to school-based presentations, the Agency also undertook 167 preventive workplace interventions (impacting a total of 3,730 workers) which are designed to enhance overall compliance and ensure that employers and employees are aware of the functions and services provided by the Agency. Additional outreach and education activity was undertaken with organizations such as the John Howard Society, the Association for New Canadians and the Canadian Paraplegic Association.

The Labour Standards Division has also translated its employment standards information into other languages: French, Mandarin and Spanish which will be available to the public in 2008-09. Additional translations into aboriginal languages, including Inuktitut and Innu-eimun will be worked on in the future.

Also, during 2007-08, the Labour Standards Division took steps to enhance its relationship with the Office of the High Sheriff (Department of Justice) to support

increased mutual understanding regarding shared enforcement activity. In March 2008, officials of the Sheriff's Office and the Labour Standards Division met to discuss their respective roles in the enforcement of Labour Standards Determinations. This meeting resulted in a better understanding of the complementary roles of officials which will ultimately provide improved service to all parties.

The Labour Relations Division was also active in the area of education and outreach during 2007-08. Throughout the year, conciliation officers promoted the Preventive Mediation Program (PMP) through consultations with unionized employers and workers. PMP is a program that assists employers and employees, with the aid of a mediator, to work together to improve communications, increase cooperation and resolve workplace issues through joint problem-solving. The PMP encourages a shift to a more positive labour relations environment and promotes responsible collective bargaining in the province. For example, in November 2007, the Labour Relations Division offered Joint Problem Solving training sessions to members of union and management negotiating committees who will be involved in public sector bargaining. This one-day training program, which is a key component of the PMP, focuses on effective communication skills, consensus decision making and conflict resolution. In total, 40 people, representing union and employer bargaining teams, attended. Overall, the Agency dealt with 97 PMP requests in 2007-08, an increase of 70% from 2006-07. This reflects the Agency's efforts to proactively promote its programs and services.

The Labour Relations Division also launched a new Workplace Intervention component to the PMP in 2007-08. This new service is designed to provide conflict resolution in situations where people who work together and interact on a regular basis are in conflict and require intervention to resolve their dispute to foster a better work environment. This service, which requires approval from both the employer and the union, requires voluntary participation from the parties where mediators work with the parties in an effort to resolve their dispute. This may include developing a Workplace Agreement in which the parties, through the assistance of the mediator, develop a set of ground rules to follow, which will enable them to reduce conflict and maintain a more productive work environment.

The Labour Relations Division has also placed further emphasis on unsolicited mediator consultations and outreach activity. This practice involves Agency staff proactively reaching out to provincial employers and labour organizations through the Mediator Consultation component of the PMP to inform them about Labour Relations programs and services and to encourage parties to avail of Agency support to strengthen workplace relationships prior to the expiration of collective agreements. 53 mediator consultations were undertaken in 2007-08.

REPORT ON PERFORMANCE

In its Strategic Plan 2006-08, the Labour Relations Agency identified two strategic issues aimed at promoting a positive employment relations environment, improving competitiveness and increasing productivity. While progress on some of these goals has already been discussed in brief in the preceding sections, the following presents a more detailed account of the Labour Relations Agency's performance in these areas during the 2007-08 fiscal year:

Issue 1: Supporting Optimum Employer and Employee Relations through Improving Collective Bargaining Legislation.

Optimum employer and employee relations occur when legislative and regulatory structures are current and reflect a balance between mutual needs, rights and responsibilities. The Agency, through discussion with stakeholders, identified a need to amend collective bargaining legislation in order to ensure that such a relationship exists between employers and employees in the Province. Throughout the two year period covered by the Agency's 2006-08 Strategic Plan, significant progress has been made with respect to a number of stand-alone amendments to the *Labour Relations Act*, the *Public Service Collective Bargaining Act*, and the *Fishing Industry Collective Bargaining Act*. These amendments have improved Newfoundland and Labrador's employment relations framework as it pertains to the operations, rules and procedures of the Labour Relations Board, through the establishment of a transparent and independent fish price-setting mechanism for the province's fishing industry, and the creation of a Committee to oversee the management of the labour arbitration process in the province.

During 2007-08, further emphasis was placed by the Agency on working with employer and labour stakeholders to finalize an approach to undertake a broader review of provincial legislation with a view to enhancing our labour relations framework and thus providing an employment relations climate conducive to economic growth. This process has been a constructive and valuable approach to advancing balanced proposals for legislative change and a productive means to strengthen partnerships between government, employers and labour. All of these undertakings have responded to the employment relations, legislation and standards components of the Minister's strategic direction for the Labour Relations Agency.

Goal:

- By 2008, the Labour Relations Agency will have prepared changes to collective bargaining legislation that support optimum employer and employee relations.

Measure:

- Prepared legislative changes required to support optimum employer and employee relations.

INDICATORS	ACCOMPLISHMENTS
Stakeholder needs and perspective acquired through consultation.	• Through its participation with the Employment Relations Sub-Committee of the SPI, the Agency undertook extensive consultation with labour and employer stakeholders on the proposed review of provincial labour legislation. Five meetings of the SPI and / or the Employment Relations Sub-Committee occurred during 2007-08. As well, numerous other face-to-face or telephone contacts were initiated by the parties throughout the year. • A process for the review of legislation was determined and proposals for broad-based legislative amendments will be tabled with the Sub-Committee in 2008-09.
Creation of a priorities document that accurately represents stakeholder views.	• In 2007-08, an initial scoping of possible amendments was undertaken by the parties, but the development of a joint priorities document for legislative change was not completed in 2007-08 as additional time was required by the Sub-Committee to formalize a process for the legislative review. • As a result, parties have agreed to develop individual priority documents in 2008-09 that will be presented to the Sub-Committee for review with a view to advancing consensus-based legislative proposals to Government.
Increased understanding between employer and employee stakeholders in areas of mutual interest and concern.	• The use of the SPI model to facilitate the review of labour legislation has provided a valuable forum for regular discussion between the parties. • Employers and labour stakeholders and Government acknowledged the strength of this approach in a May 1, 2008 press release from the Minister of Human Resources, Labour and Employment following the tabling of an amendment to the *Labour Relations Act* relating to the creation of the Labour Management Arbitration Committee.

2007/08 Objective:

- By 2008, the Labour Relations Agency will have identified priorities for revisions to collective bargaining legislation pertaining to other sectors.

Measure:

- The identification of priority revisions to labour legislation.

INDICATORS	ACCOMPLISHMENTS 2007/08
Priorities of stakeholder groups are identified.	• The Agency engaged the Employment Relations Sub-committee of the SPI to solicit stakeholder input on specific changes to the provincial labour legislation. • This process is ongoing and, as a result, the priorities of stakeholder groups were not identified in 2007-08 as additional time was required by the Sub-Committee to formalize a process for the legislative review. • Parties have agreed to identify their priorities for legislative change in 2008-09.
Recommendations to enhance Labour Arbitration process are identified.	• In 2007-08, the Agency advanced a proposal to Government to amend the *Labour Relations Act* to provide for an enhanced labour arbitration process through the creation of a Labour Management Arbitration Committee.
Priority amendments to the *Labour Relations Act* are identified.	• Bill 23 – *An Act to Amend the Labour Relations Act* in relation to the Labour Management Arbitration Committee was introduced into the House of Assembly on April 22, 2008 and received Royal Assent on June 4, 2008.
Priority revisions to the Public Service Collective Bargaining Act identified.	• Amendments to other collective bargaining legislation (*Public Service Collective Bargaining Act*, the *Fishing Industry Collective Bargaining Act*) were undertaken in 2006-07 in advance of the timetable originally proposed in the 2006-08 Strategic Plan.

Issue 2: Improved Accuracy and Usefulness of Employment Relations Data.

Leading up to the 2006-08 Strategic Plan, the Labour Relations Agency recognized that its current data collection practices were not effectively portraying the complexity of Newfoundland and Labrador's employment relations climate. Employment relations data that was collected, while important from a macro economic perspective, has generally not provided a sufficient level of detail to provide users with an understanding of the employment relations profile of individual industries, nor did it allow for easy reference with comparable data from other jurisdictions in Canada. Indeed, it became evident that timely, detailed and comparable employment relations data was critical

information that both current and prospective employers needed to support economic development in Newfoundland and Labrador.

In 2007-08, the Agency was able to build on consultations that occurred in the previous year and work with internal and external stakeholders to evaluate the effectiveness and value of current employment relations indicators. In doing so, it was determined that prior to embarking upon an exercise to collect and publish new indicators, there was a need to enhance and improve upon the sources of information the Agency was already collecting. Indeed, while existing employment relations data remained of value, ensuring that these existing indicators provided information that was current, industry specific and comparable to figures in other provinces was a critical first step to improving their usefulness.

As a result, with the support of stakeholders, the Agency undertook an exercise in 2007-08 to improve its collection of existing employment relations data and published this new information on its webpage. Enhancements to existing indicators, including rates of unionization, minimum wage rates, average weekly earnings, work stoppages, and average hourly wage rates were implemented. Where available, industry specific data was applied to current indicators and jurisdictional data from across the country was added. Improvements to the Agency's employment relations information can be viewed at the following website: http://www.hrle.gov.nl.ca/lra/statistics/default.htm .
In addition, the Agency also developed a stakeholder notification and survey to advertise these changes and assess what these groups thought about the new information and what kinds of data should be included for the future. All of these measures have and will continue to assist the Agency to respond to the labour and evidence based analysis component of the Minister's strategic direction.

Our commitment to our clients and stakeholders is to ensure that, as the primary resource for employment relations climate indicators, the Labour Relations Agency will continue to provide information that is of the highest quality and perceived as helpful. While this initial effort is seen as a solid first step towards improving the quality and availability of employment relations data in the province, additional improvements, based in part on the feedback that will be received from stakeholders in 2008-09, will assist the Agency as other improvements are considered over the next few years.

Goal: **By 2008, the Labour Relations Agency will have improved the quality and availability of information regarding the province's employment relations climate.**

Measure: **Increased quality and availability of employment relations data.**

INDICATORS	ACCOMPLISHMENTS
Employment relations data will be collected and reported in a way that meets the identified needs of stakeholder groups.	• As a part of consultations with internal and external stakeholders in 2006-07 and 2007-08, groups identified the need for the Agency, in the first instance, to enhance

	existing employment relations indicators by publishing more timely employment relations data that included industry specific information and data that allowed for comparison with other provinces in Canada. • In 2007-08, the Agency enhanced its collection and publication of employment relations data to include current industry specific data that allowed for national comparison. This new approach has been applied to information pertaining to rates of unionization (includes industry specific data), minimum wage rates, average weekly earnings, work stoppages by sector (public and private sector), and average hourly wage rates (union and non-union).
There will be an increase in utilization of employment relations data by government and stakeholders.	• Gathering baseline data to assess an increase in utilization is important and resource intensive. Having heard stakeholder perspectives, the Agency determined it was more appropriate to focus its initial efforts on enhancing existing employment data as a first measure with a view to establishing a process to capture and track utilization throughout the next planning cycle. • This process will be facilitated through the establishment of an analytic account within its employment relations statistics webpage in 2008-09 in order to assess the level of public traffic at the site. • In addition, in 2007-08, the Agency developed a detailed stakeholder notification and survey to identify existing and future data collection priorities. This survey, which will be launched in 2008-09, includes questions that will solicit feedback on the degree of past stakeholder utilization of the Agency's employment relations data and the likelihood of future utilization in light of recent enhancements.
Employment relations data will be available in a format that allows comparison to other jurisdictions.	• In 2007-08, the Agency enhanced its employment relations data collection to provide for more timely data that provided comparable national and provincial data in the areas of rates of unionization, minimum wage rates, average weekly earnings, work stoppages by sector (public and private sector), and average hourly wage rates (union and non-union).
Potential employers will have access to industry specific employment relations data.	• As a part of its overall enhancements to its employment relations data, the Agency has integrated national and provincial, unionization statistics for 15 specific industry sectors from the period 2002 – 2006. This industry data

	is based upon the North American Industry Classification System (NAICS) and data is drawn from Canada's Labour Force Survey that is collected and published by Statistics Canada. • This new information now permits potential employers to access multi-year unionization data for numerous industries in the province and the ability to compare that data to that same industry sector elsewhere in Canada. See http://www.hrle.gov.nl.ca/lra/statistics/unionization.htm for more information.

2007/08 Objective: **By 2008, the Labour Relations Agency will have improved access to employment relations information.**

Measure: **Improved employment relations data to client groups.**

INDICATORS	ACCOMPLISHMENTS 2007/08
Priorities of stakeholder groups are identified.	• Stakeholder views and priorities regarding enhancements to employment relations information were collected. • Specific meetings were held with the Newfoundland and Labrador Employers' Council and the Newfoundland and Labrador Federation of Labour with respect to data collection and improvements to current practice.
Enhanced set of employment relations indicators developed.	• An approach to enhance existing employment relations data and indicators, including more industry specific information, jurisdictional data, and updated information, was developed and deployed on the Labour Relations Agency's website.
Increased promotion of employment relations data.	• A detailed stakeholder notification and survey to identify existing and future data collection priorities was prepared by the Agency in 2007-08. • Increased promotion of employment relations data was addressed in 2007-08 by posting this new information to the Agency's redesigned statistics webpage. Further promotion will take place in 2008-09 through the distribution of an electronic mail-out advising stakeholders of the changes and soliciting their feedback on options for further enhancements.

Enhanced accessibility to employment relations data.	• An enhanced Labour Relations Agency website with a redesigned statistics page, including enhanced employment relations data and a more user-friendly lay out, was launched in 2007-08. See http://www.hrle.gov.nl.ca/lra/statistics/default.htm

OPPORTUNITIES AND CHALLENGES AHEAD

Public Education and Awareness

In the Agency's 2006-07 Annual Report, it was indicated that in 2007-08, the Agency would be working to further increase the profile and visibility of the programs and services it offers and to promote and support positive employment relations in the province. Significant efforts have been made to enhance and improve the education and outreach activities from both a labour standards and a labour relations perspective. This emphasis will continue in 2008-09 as education and outreach activity is elevated from an operation priority to a strategic one during the next planning cycle. For further information, please consult the Labour Relations Agency's 2008-11 Strategic Plan.

Continued Enhancement to the Province's Employment Relations Framework

The Agency looks forward to continued collaboration and partnership with labour and employer stakeholders as efforts are made to review the provincial labour legislation during 2008-09. Ongoing consultation with the stakeholders through the Strategic Partnership Initiative will persist over the next fiscal year and efforts will be made to build upon the strength of recent improvements to the *Labour Relations Act*, the *Public Service Collective Bargaining Act*, and to agree on further proposals for legislative change. Further emphasis will also be placed upon the province's employment relations framework from a labour standards perspective to ensure that this framework also remains current and that the minimum standards provided keep pace with trends occurring in the workplace.

Minimum Wage

The Agency will complete its assessment of the feedback and comments received during the province-wide public consultations held on the minimum wage in winter 2008 and will be bringing proposals to Government with respect to future changes to the minimum rate of pay in Newfoundland and Labrador.

STATISTICAL OVERVIEW

Labour Relations Division

Fiscal Year (April 1 - March 31)

Conciliation	2005-06	2006-07	2007-08
# of Requests	59	78	63
Requests carried over	--	31	29
Total Conciliation Requests	59	109	92
Conciliation Settlements	47	77	81

Other Services	2005-06	2006-07	2007-08
Appointment of Arbitrator	48	50	109
Interest-Based Negotiation	2	1	0
Preventive Mediation Requests	68	57	97
Mediator Appointments	2	0	0
Special Projects	1	4	0

Labour Standards Division

Fiscal Year (April 1 - March 31)

	2005-06	2006-07	2007-08
Cases Assigned	110	112	141
Cases Concluded	39	97	90
Early Resolutions	427	323	330
Certificates of Clearance Issued	2,466	2,612	3,124
Preventive Interventions	**169 (completed) 4,091 (impacted)**	**157 (completed) 3,130 (impacted)**	**167 (completed) 3,730 (impacted)**
Speaking Engagements	**40 (completed) 817 (participants)**	**36 (completed) 1,104 (participants)**	**51 (completed) 1,411 (participants)**

Other Employment-related Statistics

Work Stoppage	2005-06	2006-07	2007-08
Number of Work Stoppages	8**	7***	9****
Number of Employees Involved	2,331	1,191	1,403
Number of Person-Days Lost	12,572	22,577	29,622

** 4 of the 8 stoppages were illegal
*** 1 work stoppage carried over from 2005-06
**** 3 of the 9 stoppages were illegal

Work Stoppages by Industry
2005-06 to 2007-08

Industry		2005-06	2006-07	2007-08
Construction	# of Work Stoppages	1	1	1
	Employees	18	18	13
	Person-Days Lost	4,536	1,242	26
Manufacturing	# of Work Stoppages	3	1	1
	Employees	1,238	63	70
	Person-Days Lost	6,950	2,079	35
Mining	# of Work Stoppages	1	3	4
	Employees	800	1,085	1,205
	Person-Days Lost	571	18,702	22,040
Accommodations and Food Services	# of Work Stoppages	1	0	1
	Employees	50	0	60
	Person-Days Lost	18	0	386
Health Care and Social Services	# of Work Stoppages	2	0	0
	Employees	225	0	0
	Person-Days Lost	497	0	0
Other Services	# of Work Stoppages	0	1	0
	Employees	0	9	0
	Person-Days Lost	0	463	0
Public Administration	# of Work Stoppages	0	1	0
	Employees	0	16	0
	Person-Days Lost	0	91	0

Motor Vehicle Sales, Repairs & Parts	# of Work Stoppages	0	0	2
	Employees	0	0	55
	Person-Days Lost	0	0	7,135

Labour Force (Unadjusted)	**2005-06**	**2006-07**	**2007-08**
Population(15+)(000's)	429.4	426.9	424.1
Labour Force(000's)	252.5	253.7	251.3
Employment(000's)	213.6	216.7	218.5
Unemployment Rate	15.5%	14.6%	13.1%
Participation Rate	58.8%	59.4%	59.3%

ADDITIONAL INFORMATION

For additional statistical information about the Agency's programs and services, contact the Labour Relations Agency at:

Phone: (709) 729-2711
Fax: (709) 729-5905
E-Mail: labour@gov.nl.ca
Website: http://www.hrle.gov.nl.ca/lra/
Contact the Labour Standards/ Labour Relations/ Policy and Planning Divisions toll-free at 1-877-563-1063

FINANCIAL INFORMATION

Summary of Expenditure and Related Revenue
For the Year Ended March 31, 2008
(Unaudited)

Summary of Expenditure and Related Revenue For the Year Ended March 31, 2008				
Activity		**Actual Expenditure $**	**Amended Budget $**	**Original Budget $**
6.1.01	Executive Support	322,140	359,600	372,200
6.1.02	Administration and Planning	509,210	560,800	559,200
	Less: Revenue - Provincial		(78,000)	(78,000)
		509,210	482,800	481,200
6.1.03	Labour Relations/Labour Standards	1,244,041	1,355,100	1,348,600
	Less: Revenue - Provincial	(71,858)	(70,000)	(70,000)
		1,172,183	1,285,100	1,278,600
	Total	2,003,533	2,127,500	2,132,000

Note: Budget included a $249,600 allocation for the Standing Fish Price-Setting Panel which covered such areas as salaries, professional fees, travel, and related office expenditures.

Expenditure and revenue figures included in this document are un-audited and based on public information provided in the Report on the Program Expenditures and Revenues of the Consolidated Revenue Fund for the Year Ended 31 March 2008. Audited financial statements are a requirement at the government level and are made public through the Public Accounts process; however the Labour Relations Agency is not required to provide a separate audited financial statement.

The following is a presentation of the program funding summary for fiscal year 2007-08.